



VIRGINIA ASIAN ADVISORY BOARD

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July 9, 2004

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Ex-Officio

The Honorable Michael J. Schewel
Secretary of Commerce and Trade

The Honorable Belle Wheelan
Secretary of Education

The Honorable Jane Woods
Secretary of Health & Human Resources

The Honorable Mark R. Warner
Governor, Commonwealth of Virginia
The State Capital
Richmond, VA 23219

Dear Governor Warner:

On behalf of the Virginia Asian Advisory Board and as pursuant to Section 2.2-2450 of the Code of Virginia, I am pleased to submit this annual report for the period covering June 2003 through June 2004.

While this is only the first year that the Board has been in place, you will note that we have hit the ground running. The Board has remained very active over the past several months by undertaking four business meetings, numerous committee discussions, a fact-finding public forum held in Northern Virginia, and a series of communications among members of the Asian American communities to address a wide variety of issues of concern.

This report includes findings and recommendations on eight specific areas of concern that the Board believes are the most urgent for you to consider as you work to improve the quality of lives for Asian Americans, and indeed, all Virginians. We are ready to meet with you in the coming months to elaborate on these findings and recommendations and to assist you in possibly implementing them in the near future.

This report is truly a work that reflects the spirit and energy we all bring to our important positions serving the Commonwealth. We thank you for providing us the opportunity to work with you on behalf of the Asian American communities throughout the Commonwealth.

Sincerely,

A handwritten signature in black ink, reading "Liu-Jen C. Chu".

Liu-Jen Chu
Chair of the Board

2003-2004
ANNUAL REPORT
OF THE
VIRGINIA ASIAN ADVISORY BOARD
TO
GOVERNOR MARK R. WARNER

JULY 9, 2004

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EXECUTIVE SUMMARY

This is the first Annual Report of the Virginia Asian Advisory Board (VAAB). As a governmental advisory board, VAAB serves as a formal liaison between the government of Virginia and the fast-growing Asian American communities in the Commonwealth.

According to the 2000 Census figures, Asian Americans represent 4.3 percent of Virginia's population, which is nearly identical to the 4.2 percent that Asian Americans make up in the national population. Between 1990 and 2000, the Asian American population in Virginia increased from 156,036 to 304,559 – an incredible 95 percent growth rate. By comparison, the total population of Virginia increased by only 14.4 percent during the same period.

Since Governor Mark R. Warner appointed 17 board members in June 2003, VAAB has held four board meetings, launched an Internet website (www.commonwealth.virginia.gov/asian), and hosted a public forum to gather information about the needs and concerns of Asian Americans throughout the Commonwealth.

The public forum (held on May 15, 2004, in Northern Virginia where the highest concentration of Asian Americans resides in the Commonwealth) was highly successful and productive. The large audience of Asian Americans and other citizens heard testimonies from a dozen expert witnesses who addressed a wide variety of business and social service issues facing the Asian American communities today.

From these meetings and events, fact gathering, and analysis undertaken by the three committees of VAAB (Civic and Cultural committee, Education and Learning committee, and Business and Trade committee) the board was able to narrow down the priority issues to the following eight concerns that were included in this year's VAAB Report:

1. JLARC Study on Foreign-Born Virginians

In 2003, the Joint Legislative Audit and Review Commission (JLARC) was charged by the General Assembly to conduct a study on the status of immigrants in the Commonwealth; in particular to identify the need for government services and to examine options for facilitating the acclimation of immigrants into the Commonwealth.

The JLARC report, entitled, "Acclimation of Virginia's Foreign-Born Population," found that between 1990 and 2000, Virginia experienced an 83 percent increase in the number of its foreign-born, whose combined contribution to the Commonwealth's economy is significant.

Similar to the testimonies presented at the VAAB public forum, JLARC identified three primary needs that are unique to the foreign-born population: (1) access to opportunities to improve English proficiencies; (2) access to services and information in their native languages; and (3) access to affordable health care.

Because VAAB finds the JLARC study to be comprehensive, timely, and beneficial to the Asian American communities, VAAB recommends that the Governor adopt the study and implement its recommendations targeted at improving access to services by limited English proficient (LEP) populations.

2. House Resolution on the Limited English Proficient

During the 2004 session of the General Assembly, a House resolution that passed both chambers identified problems facing LEP populations in the Commonwealth. HJ 71 states that Title VI of the Civil Rights Act of 1964 prohibits recipients of federal funds from discriminating against individuals on the basis of race, color, or national origin.

Because this federal law has been interpreted to require LEP individuals to have meaningful access to state and local government information and services, HJ 71 requests the Secretary of Health and Human Resources to determine resources that may be available to assist the Commonwealth's service providers in their efforts to serve LEP individuals, and to identify options for obtaining translation services.

Foreign-born individuals constitute a large percentage of the Asian American population in Virginia, and language access is a high priority for them and for others among the Asian American communities. VAAB recommends that the Governor fully support the requests made by HJ 71, and also expand the scope to cover every executive branch agency that administers programs that are utilized by LEP Asian Americans.

3. Need for Data Collection

One of the most important factors to ensure the Commonwealth's success in carrying out both the JLARC recommendations and the HJ 71 requests is the availability of data and information on the constituents it wishes to serve. While some basic statistics about Asian Americans in Virginia can be obtained from the U.S. Census Bureau, there are far more that we do not know about the Commonwealth's Asian American populations.

VAAB believes that there is an urgent need for the Commonwealth government to conduct a comprehensive system-wide effort to collect, collate, organize, aggregate, and analyze all available data and information on Asian Americans in Virginia from whatever source that may be storing such information and that are within the control of the government.

VAAB recommends that the Governor call for a government-wide plan to collect and study data on Asian Americans in Virginia, and to require the strategic goals and performance measurements of all executive branch agencies address the needs in underserved areas.

4. Public Education Improvements

The most popular reason given by immigrants from Asia for moving to the United States is better educational opportunities. For most Asian American families who choose to settle in Virginia, the Commonwealth's strong public school system is one of the most attractive features. The quality of K-12 public education system has improved in recent years, and the overall passing rates of Standard of Learning (SOL) tests have increased. However, some Asian Americans are still being left behind in the educational system.

There is a need for a statewide remedial program for all needed academic subjects in the Virginia public schools. Such help is vital to students who are in danger of failing to graduate because of the SOL requirements. Additionally, there is a need to develop better quality and more programs for gifted students. VAAB recommends that the Governor establish a remedial program, including the use of language assistance services, and expand the gifted program for the public school system.

5. Equal Opportunities in Education

While there are many Asian American faculty members present in the Commonwealth's education system, there is an overall lack of Asian American administrators and others in senior positions. From available data and anecdotal evidence, it does not appear that it is a problem of insufficient candidate pool, as there appear to be enough qualified applicants.

Specific data on individual's race, ethnicity, and other background information are currently not available in relation to data collection on faculty salary and administrative appointments in the education system, but such information could be helpful in better understanding the true status and number of Asian American faculty. VAAB recommends that the Governor require the Commonwealth to begin collecting data within the Commonwealth's schools, colleges and universities by rank, race and ethnicity, national origin, gender, and any other relevant factor.

6. Diversity Classes and Training

Diversity is an important policy goal in the public educational system as it should be throughout the American way of life. A school campus that includes students from different racial, ethnic, lingual, religious, cultural, and social backgrounds can help develop well-rounded and balanced students who will be better equipped to compete as a professional in the global marketplace. Understanding differences at an early age can also contribute to a reduction in hate crimes, acts of bigotry, and other conduct derived from people's ignorance and fears about other races and cultures.

In addition to formal classes in school, diversity or cultural sensitivity training should also be part of lifelong learning for every Virginia resident.

VAAB recommends that the Governor encourage the development and adoption of diversity training curriculum that includes information about Asian languages, religions, cultures, history, and geography, in the Commonwealth's public schools and in executive branch agency training programs.

7. Small Business Assistance

Over the past ten years, minority-owned firms have grown at approximately double the rate of all firms in the U.S. economy, while Asian American-owned firms increased at a rate of 10 percent with sales growth of almost 24 percent per year. Notwithstanding these figures, the Commonwealth currently does not have a set-aside program for minority- or women-owned businesses.

A recent study entitled, "A Procurement Disparity Study of the Commonwealth of Virginia," found that only 1.7 percent of the Commonwealth's dollars went to minority- or women-owned businesses from July 1997 to June 2002. By contrast, procurement spending on minority- or women-owned businesses by other states is much greater.

VAAB recommends that the Governor take steps to increase procurement by the Commonwealth for minority- or women-owned businesses, and to establish appropriate procurement goals.

8. Budget and Staff for VAAB Activities

While there is one government staff already assigned to VAAB, it currently operates as an all-volunteer entity with almost all of its work being undertaken by the Board members themselves. During the past year, VAAB functioned mainly through self-funding or support of outside organizations, with minimal financial support from the Commonwealth.

In order for VAAB to carry out all of the goals and activities in a truly effective manner, it will require an adequate budget and ample staff support. VAAB is aware of the Commonwealth's current budget concerns but believes that the government should invest in the long term to meet the needs of a fast growing population.

The Commonwealth should also attempt to reach parity with several other states (including neighbors Maryland and the District of Columbia) in the way they handle their Asian American outreach. VAAB recommends that the Governor request adequate funding from the General Assembly to cover VAAB activities for 2004 to 2005.

I. INTRODUCTION

The Virginia Asian Advisory Board is a governmental entity of the Commonwealth of Virginia that serves as a formal liaison between the Commonwealth government and the Asian American communities in the Commonwealth.

Pursuant to Section 2.2-2450 of the Code of Virginia, this Annual Report is submitted to Governor Mark R. Warner as a summary of the Virginia Asian Advisory Board's activities from June 2003 to June 2004. The Report includes recommendations for the Governor and executive branch agencies to consider and adopt in order to enhance the level of participation of Asian Americans in the Commonwealth's programs and services.

Asian Americans are one of the fastest growing ethnic groups both in Virginia and across the nation. The Census count for the year 2000 showed that the United States population was 281.4 million. Of the total, 11.9 million – or 4.2 percent – reported themselves as Asian (alone or in combination). This is an increase from 2.8 percent of the total population in 1990 when there were 6.9 million Asian Americans in the nation. Current projections indicate that the number of Asian Americans will increase nationally by one-third to 14 million by the year 2010, and will triple to 33 million by the year 2050.

Virginia's experience with population growth for Asian Americans is similar to the national trend. A comparison of 1990 with 2000 census figures shows that the Asian American population in Virginia increased from 156,036 to 304,559 – an incredible 95 percent growth rate. By comparison, the total population of Virginia increased by only 14.4 percent during the same period, from 6,187,358 to 7,078,515. As a percentage of Virginia's population, Asian Americans comprised 4.3 percent in 2000 (remarkably similar to the national percentage of 4.2). This is an increase from 2.5 percent in 1990.

The highest concentration of Asian American population is in Fairfax County where Asian Americans constitute 12.2 to 13 percent. Other counties with significant (2.7 to 8.6 percent) Asian American population are Loudon, Prince William, Albemarle and Charlottesville, Harrisonburg, Henrico, York, Virginia Beach, and Montgomery Counties.

II. VIRGINIA ASIAN ADVISORY BOARD

A. Background and History

The Virginia Asian Advisory Board ("VAAB" or "Board") was established by statute in 2001. In January of that year, Delegate Leo C. Wardrup (R-Virginia Beach) introduced House bill HB2859 to create a board to advise the Governor "on ways to improve economic and cultural links between the Commonwealth and Pacific Rim nations, with a focus on the areas of commerce and trade, art and education, and general government."

The bill also provided for the membership of the board and its powers and duties.

Upon passage of HB2859 by both chambers of the General Assembly, then-Governor James S. Gilmore III signed it into law on March 27, 2001. Governor Gilmore, however, did not appoint any members to the Board during the remaining months of his term of office.

On June 12, 2003, Governor Mark R. Warner appointed 16 members to VAAB who represent every geographic region of the Commonwealth. An additional member was appointed shortly thereafter to bring the total current number of citizen Board members to 17.

In forming the Board, Governor Warner stated, “As our Commonwealth continues to grow and become more diverse, it is important to me to have the advice and counsel of all Virginians, including members of the Asian community. I will be looking to the Board to provide me with input and recommendations of actions that I can take to help the Asian community in Virginia.”

B. Authorizing Statute

While the original intent of the 2001 authorizing statute was broad in its jurisdictional charge to VAAB, many members of the Asian American communities believed that the language of Section 2.2-2448 of the Code of Virginia unnecessarily focused on international issues and not also on domestic issues.

Community members also wanted to see more inclusive language in the Code. For example, the terms, “Pacific Rim nations” in the original Code could be replaced with “Asian nations,” to broaden the geographic scope and interests of VAAB’s functions.

Thus, during the 2004 session of the General Assembly, the Code of Virginia was amended to clarify that VAAB’s jurisdiction expressly includes issues affecting Asian American communities in the Commonwealth in addition to those involving relations between Virginia and Asian nations.

Through Senator Yvonne B. Miller (D-Norfolk) who sponsored Senate bill SB186 and Delegate Robert McDonnell (R-Virginia Beach) who sponsored House bill HB1480, the Code was amended on March 8, 2004. Governor Warner approved the changes on April 26, 2004.

The revised Code Section 2.2-2448, along with the rest of the authorizing statute (§§ 2.2-2448 to 2.2-2451), reads:

Virginia-Asian Advisory Board established; purpose (effective July 1, 2004).

The purpose of the Board shall be to advise the Governor on ways to improve economic and cultural links between the Commonwealth and Asian nations, with a focus on the areas of commerce and trade, art and education, and general government, and on issues affecting the Asian-American communities in the Commonwealth.

Membership; terms; vacancies; chairman.

The Board shall consist of twenty-one members to be appointed by the Governor as follows: eighteen citizen members who shall represent business, education, the arts, and government, at least eleven of whom shall be of Asian descent; and the Secretaries of Commerce and Trade, Health and Human Resources, and Education, or their designees to serve as ex officio members of the Board.

Citizen members shall serve for terms of four years. The Secretaries of Commerce and Trade, Health and Human Resources, and Education, or their designees, shall serve terms coincident with their terms of office. Vacancies occurring other than by expiration of term shall be filled for the unexpired term. Any member may be reappointed for successive terms.

The members of the Board shall elect a chairman and vice-chairman annually.

Members shall receive no compensation for their services, but shall be reimbursed for their actual and necessary expenses in accordance with § 2.2-2823.

Powers and duties of the Board.

The Board shall:

1. Undertake studies and gather information and data in order to accomplish its purposes as set forth in § 2.2-2448, and to formulate and present its recommendations to the Governor.
2. Apply for, accept, and expend gifts, grants, or donations from public, quasi-public or private sources, including any matching funds as may be designated in the Appropriation Act, to enable it to better carry out its purposes.
3. Report annually its findings and recommendations to the Governor. The Board may make interim reports to the Governor as it deems advisable.
4. Account annually on its fiscal activities, including any matching funds received or expended by the Board.

Staff; cooperation from other state agencies.

The Office of the Governor shall serve as staff to the Board. All agencies of the Commonwealth shall assist the Board upon request.

C. Board Members

The following are the current members of the VAAB and their residence and professional affiliations:

Ranjana W. Chachra of Blacksburg is a real estate investor

Wai-Ping Chan of Alexandria is an attorney in the U.S. Department of Agriculture's Office of Civil Rights

Liu-Jen C. Chu of Richmond is a community advocate and a former chair of the Asian American Society of Central Virginia

Robert O. Colorina of Chesapeake is a director with American Industrial Corporation

Conrado B. "Dick" Dabu of Norfolk is a U.S. Navy veteran and former chairman of the Filipino Culture Center

Nalin Jain of Fairfax is the director of the Arlington Small Business Development Center, George Mason University

Manbir "Manny" Kathuria of Fairfax is founder and president of International Business Systems, Inc.

Mark L. Keam of Vienna is chief counsel to U.S. Senator Richard J. Durbin on the Senate Judiciary Committee

Rafat Mahmood of Alexandria is a real estate developer

Thomas W. McCandlish of Richmond is a partner with the law firm of McCandlish and Holton

Kim P. Nguyen of Falls Church is director of special programs and business development for Pragmatics, Inc.

Krittika Onsanit of Richmond is an international student and internship advisor at the University of Richmond

Silvia Y. Patton of Fairfax Station is president of Fairview Park Florist and chair of the Organization of Korean-American Women, Inc.

Ravi Prasad of Richmond is president of Sri Balaji Corporation, Prasad Associates, Inc., and OM & OM Management

Dilip Sarkar of Suffolk is a vascular surgeon and associate professor of surgery at Eastern Virginia Medical School

Francis M. Stevens of Petersburg is a retail manager and former member of the Petersburg City Council

Leon R. Wang of Norfolk is professor emeritus and former chairman of the civil engineering department at Old Dominion University

The current Board also includes the following cabinet secretaries as ex officio members:

Secretary Michael J. Schewel of the Department of Commerce and Trade

Secretary Belle S. Wheelan of the Department of Education

Secretary Jane H. Woods of the Department of Health and Human Resources

The Board is assisted by Rupa Somanath, a staff member of the Office of the Secretary of the Commonwealth.

D. Board Committees

VAAB created the following three committees, each with several Board members, to carry out its duties in a more efficient manner:

Civic and Cultural Committee. Chaired by Wai-Ping Chan, this committee's goals are to address the Asian American communities' concerns by increasing their awareness of the Commonwealth government's services and programs, promoting the increase of Asian American participation in these activities, and working in partnership with community-based organizations to carry out these goals.

Education and Learning Committee. Chaired by Manbir Kathuria, this committee's goals are to study and propose recommendations on issues of education and learning affecting the Asian American communities. The term, "education," covers the entire spectrum of the formal educational, including PreK-12, post secondary (two and four year), and advanced graduate and professional studies. The term, "learning," refers to the spectrum of lifelong learning opportunities, including continuing education, professional training, and diversity education at the workplace.

Business and Trade Committee. Chaired by Nalin Jain, this committee's goals are to research, gather, and examine all available data on Asian Americans who own or operate their businesses in the Commonwealth and/or with Asian nations to determine whether the Commonwealth is providing a healthy environment for these businesses to succeed domestically and internationally.

III. BOARD ACTIVITIES FOR 2003-2004

A. Business Meetings

Since the Board was announced by Governor Warner in June 2003 at the Philippine Cultural Center in Virginia Beach, VAAB has held four business meetings: December 11, 2003 (Richmond), February 19, 2004 (Richmond), April 2, 2004 (Richmond), and May 15, 2004 (Arlington).

Because the December 2003 meeting was the first official business gathering of the Board, members agreed to select an interim chair to preside until the next board meeting. By consensus, Ms. Liu-Jen Chu was designated the interim chair. At its February 2004 meeting, the members unanimously elected Liu-Jen Chu as chair of the Board and Robert Colorina as vice chair of the Board.

At each Board meeting, guest speakers representing state government agencies, nonprofit organizations or other entities were invited to share information about their group. During the public comment portion of each meeting, interested members of the public were provided with opportunity to address the Board.

During 2003-2004, the following individuals spoke to VAAB:

Delegate Robert McDonnell (R-Virginia Beach) described the legislative process for moving his bill, HB1480, to amend the Code of Virginia for VAAB.

Linda Ford, chief legislative analyst for the Joint Legislative Audit and Review Commission, presented its report entitled, "Acclimation of Virginia's Foreign-Born Population."

Dr. Maricel Quintana-Baker and her staff from the Multilingual Programs office of the Virginia Department of Business Assistance described the services offered by the office, and asked for VAAB's assistance in reaching out to business owners in the Asian American communities who may need such services.

Greg Wingfield, president and CEO of the Greater Richmond Partnership, discussed how VAAB might be able to help the Commonwealth be more successful in promoting its message and outreach efforts in Asia.

B. Outreach and Publicity

During the past year, VAAB, its members, and activities have been featured in numerous press stories. VAAB members also reached out to the Asian American community across the Commonwealth through participation and visibility at a variety of events and publications.

On February 19, 2004, members of the Board, along with representatives of the Asian American Society of Central Virginia, visited the General Assembly and were formally introduced to the House of Delegates.

News about the Governor's appointment of the current VAAB members was covered in several print media such as the *Richmond Times Dispatch*, *Roanoke Times & World News*, *Virginian-Pilot*, and the *Washington Post*. Several Board members have had their personal profiles featured in local ethnic media, including in Asian-language publications.

Coverage of the first VAAB public forum held on May 15, 2004, was particularly extensive in the Asian media.

Under the leadership of Board member Kim Nguyen, VAAB launched an Internet website in April 2004 to serve as the online source of information for Asian Americans and others interested in the activities of VAAB. The website includes minutes from all the Board meetings, the full transcripts of the May 15 public forum, and links to organizations and resources of interest to the Asian American communities in the Commonwealth. The website is located at: www.commonwealth.virginia.gov/asian.

C. Public Forum

On Saturday, May 15, 2004, VAAB held a public forum at the George Mason University's Arlington Campus, in Northern Virginia. The four-hour event featured two panels of expert witnesses who presented testimonies on issues such as education, healthcare, small business, crimes, international trade, language assistance, and civic participation. A public comment period followed, and a catered lunch was made available for over 70 attendees.

The public forum was made possible through the logistical and financial support of the Coalition of Asian Pacific Americans of Virginia (CAPAVA), a statewide nonprofit community-based educational organization. CAPAVA's sponsorship of the program included publicity and the use of its website (www.capava.org) in listing all of the witnesses' written testimonies and the full transcript of the public forum.

CAPAVA also hosted a reception in the evening to honor the members of VAAB who came from various parts of the Commonwealth to meet in Northern Virginia. The evening event also celebrated the Asian Pacific American Heritage Month of May, and Governor Warner's commemorative declaration was read during the highly attended reception.

Twelve expert witnesses provided testimony on two panels. The first panel consisted of the following seven professionals, community leaders and consultants who discussed the various social service needs of the Asian American communities:

Paul M. Igasaki is a former vice chair and acting chair of the U.S. Equal Employment Opportunity Commission during the Clinton Administration. He is currently an Alexandria-based consultant on diversity, civil rights and employment issues. Mr. Igasaki provided an overview of the civil rights issues facing the Asian American and Pacific Islander communities today. Some of these include the under-use of government programs such as healthcare and legal services, limited English proficiency and the harsh English-only movement, and the stereotype of “model minority” that often hides the poverty, glass ceiling, and low educational achievement among many Asian Americans.

Kim Oanh Cook is the executive director of the Vietnamese Resettlement Association in Falls Church, which helps low-income persons of all ethnicities with social service and health care, including cancer prevention screening. She testified that even the most basic government services and affordable housing are often unavailable to these populations in poverty, and implored those in better positions to reach out and assist the poor. Ms. Cook suggested that VAAB work with other ethnic- and minority-based government entities in collaboration to find programs that might be applicable to Asian Americans.

Dr. Surjit Kaur is a licensed professional counselor and housing program director at the Center for Multicultural Human Services in Falls Church. She is the author of five books, including one that profiles success stories of Sikhs in America. Dr. Kaur testified that Asian American elderly and women population need special mental health services due to the unique and difficult roles they often play in our communities. For example, Dr. Kaur stated that many elderly Asian Americans who are brought to this country by their adult children face depression when they become jobless and isolated after their babysitting services are no longer needed, while women from certain Asian nations face increased risk of domestic violence.

Satish Korpe is the president of the Indian American Forum for Political Education and former president of the Federation of Indian Associations of the National Capital Region. He testified that there are numerous needs in the Asian American communities for recently arriving immigrants who face difficulty in adjusting to American life. Mr. Korpe also pointed out that Asian Americans suffer because of their appearances, accent, and lack of knowledge of America’s social, political, and legal systems.

Kim Miller is the national president of the League of Korean Americans, USA, Inc., a non-profit educational and charitable organization. She is also the chair of the Ethnic Coalition of Virginia. Ms. Miller testified that due to language, cultural, and socio-economic barriers, Asian Americans have low participation in

the political process. She encouraged the community to engage in active civic participation programs, beginning with voter registration and education.

Hank Chao is the CEO of Hai Hua Community Center, a Vienna-based nonprofit organization whose goal is to serve and educate the Chinese American community on the ways of mainstream American culture and society. He testified that volunteer groups like Hai Hua would like to provide more programs and services to the new immigrants, such as ESL classes and educational newsletters, but they lack the financial and logistical resources that could be available from sources within the Commonwealth government.

Francey Lim Youngberg is the president of Alexandria-based Youngberg & Associates, a consulting firm that specializes in cultural competency, diversity management, minority recruitment, and research, public relations and translation services. She testified that the Asian American population in Virginia nearly doubled from 1990 to 2000, which should translate into more equitable representation and participation in Commonwealth programs and services. For example, Ms. Youngberg credited the District of Columbia Mayor's Office of Asian and Pacific Islander Affairs for promoting the strong working relationship that the neighboring jurisdiction in DC has with its Asian-owned businesses.

The second panel of witnesses featured the following five entrepreneurs and educators who highlighted the concerns they and other Asian Americans face in today's economy.

Ting-Yi Oei is the assistant principal of Centreville High School and is one of the highest-ranking Asian Americans in the Fairfax County public school system. He testified about the lack of Asian American presence in the educational field – both in the textbooks, and in leadership positions. For example, Mr. Oei shared compelling statistics comparing the high percentage of Asian American students in the Fairfax County Public Schools and the negligible number of Asian American administrators.

Nam Dong Kim is the owner of Café Noir, a popular restaurant and bar in Annandale that caters to the Korean American community. Ms. Kim testified about the often onerous and confusing task of complying with ordinances governing small businesses. She explained that many Korean American small business owners find themselves in trouble with ordinances due to lack of information that is made available to businesses, culturally insensitive laws that are at odds with customs from their homeland, and the strict manner of enforcement that lead to confrontation rather than cooperation.

Toa Q. Do is the president of Arlington-based Business Development Assistance Group, a nonprofit organization which helps small and minority-owned businesses become more viable in the American economy through business counseling, technical assistance and educational programs. Mr. Do testified about the challenges facing Asian Americans who wish to start, remain in, or expand a

business in the Commonwealth, such as language barriers, limited access to capital, and limited opportunities for securing government contracts.

Natarajan Kumar is the CEO of Cornet Technology, Inc. of Springfield, a manufacturer and exporter of physical layer switch access and test products that began as a one-man start up company fifteen years ago. As an engineer and entrepreneur who grew his company to over 200 employees worldwide, Mr. Kumar testified about the need for the Commonwealth to play the crucial role of facilitator and matchmaker. Mr. Kumar explained that, for businesses exploring opportunities in the international markets, the federal and state laws and regulations governing exports have become even more cumbersome since the terrorist attacks of September 11, 2001.

Hung Nguyen is the president of the National Congress of Vietnamese Americans and a board member of the Conference of Asian Pacific American Leadership. He testified that there are currently too few opportunities for the Commonwealth government or community-based organizations to collect, assess, and report data on the Asian American communities. Mr. Nguyen asserted that without this accurate data, Commonwealth services cannot be targeted to specific populations in most need of such services.

Following the two panel presentations, an opportunity was provided for any member of the public to make comments or to raise concerns for VAAB's consideration. Comments from 11 individuals were noted for the record. They related to issues such as: the need for Asian Americans to overcome cultural and language barriers and to participate fully in the civic process; importance of multi-lingual materials for voting assistance; the need to educate non-citizens about their legal rights and consequences under immigration laws; continued efforts to combat domestic violence; and possibility of creating a "one-stop resource center" where small business owners can learn about regulations.

Also during the public comment period, representatives from two Commonwealth government agencies – Department of Lottery and Department of Motor Vehicles – introduced their respective agencies and their programs of interest to Asian American constituents.

Finally, Delegate Vivian E. Watts (D-Fairfax) from the 39th District, which includes parts of Fairfax County, attended most of the forum and publicly stated her support for VAAB and for the Asian American communities generally.

IV. FINDINGS AND RECOMMENDATIONS

Through the work of the three committees and information gathered from the public forum, VAAB identified over 20 different issues of concern to the Asian American communities that VAAB could act upon. In an effort to narrow the focus, however, this section of the Annual Report describes only those issues that VAAB considers to be the most important and urgent for the Governor and executive branch agencies to act upon in the coming months.

A. Joint Legislative Audit and Review Commission

In 2003, the Joint Legislative Audit and Review Commission (JLARC) was charged by the General Assembly to conduct a study on the status of immigrants in the Commonwealth of Virginia. JLARC was tasked to:

1. Identify the need of state and local government services to the immigrant populations;
2. Examine the cost and benefits of immigrants to the state economy;
3. Review the federal policies and programs that could have an impact on the state initiatives;
4. Examine the state options to facilitate acclimation of the immigrants; and
5. Recommend changes in state laws and regulations.

In November 2003, JLARC issued its report entitled, “Acclimation of Virginia’s Foreign-Born Population.” Copies of this report were made available to VAAB at one of its Board meetings where the JLARC staff answered questions from Board members.

JLARC found that between 1990 and 2000, Virginia experienced an 83 percent increase in the number of its foreign-born, from 311,809 in 1990 to 570,279 in 2000. The foreign-born residents increased from 2 percent of Virginia’s population in 1970 to 8 percent in 2000. Virginia today ranks eleventh in the nation in the number of foreign-born residents.

The foreign-born population’s contribution to the Commonwealth’s economy is significant. They account for 12 percent of the civilian work force and 44 percent of the growth in the labor pool over the past decade. While they work in every major sector of the economy, the foreign-born population has a particularly important role in the hospitality and construction industries as well as in agriculture.

The JLARC study also found that Asian American and Hispanic American immigrants expend approximately \$12 billion annually into the Virginia economy. As of 2000, the buying power of Asian Americans living in Virginia exceeded \$6.6 billion and was estimated at \$5.7 billion for Hispanic Americans. The JLARC study found that “Hispanic and Asian population segments positively impact Virginia’s economy, and by extension, its tax base.”

Similar to the content of testimonies about the concerns of foreign-born Asian Americans presented to VAAB during the May 15 public forum, JLARC identified three primary needs that are unique to the foreign-born population: (1) access to opportunities to improve English proficiencies; (2) access to services and information in their native languages; and (3) access to affordable health care.

Specifically, the JLARC study found that, according to the 2000 Census data, 11 percent of Virginia's residents over the age of 5 speak a language other than English, 41 percent of this population speak English "less than very well," and 21 percent live in "linguistically isolated households." Clearly, the lack of English proficiency is an important factor in the day-to-day lives of the foreign-born population, which includes a majority of Asian Americans.

On health care, the Census data in 2002 indicated that 33 percent of foreign-born residents are not covered by either private or government health insurance compared to 13 percent of native-born residents in the same situation. Of those living in poverty, 26 percent of native-born residents do not have health insurance, while 55 percent of foreign-born residents face the same challenge.

The costs associated with the foreign-born population are costs unique to the population and those from disproportionate use of services. The unique costs include those associated with English language training for limited English proficient children, costs associated with adult English as a Second Language (ESL) programs, and the interpretation and translation of documents. These costs could be substantial to local governments. In contrast, JLARC found that foreign-born do not use state services at a disproportionately high rate.

JLARC concluded with several recommendations to the General Assembly. Because VAAB agrees with all of these recommendations, the Board unanimously adopts JLARC's findings and recommendations as its own for the purpose of this VAAB Annual Report.

RECOMMENDATION: VAAB urges the Governor to adopt the following JLARC recommendations and to explore opportunities for building partnerships with Asian American communities to facilitate the delivery of services:

1. The Commonwealth, in coordination with local governments, should develop a comprehensive plan for addressing access to services by Virginia's limited English proficient (LEP) residents through a secretarial level committee overseen by the Secretary of Health and Human Resources.
2. The Commonwealth should provide non-financial technical assistance for local programs to alternative ESL through Virginia Commonwealth University's Adult Learning Resource Center.
3. The Commonwealth should provide information on "best practices" to school divisions with K-12 ESL programs to focus additional attention toward improving the academic performance of their LEP students.

4. The Commonwealth should assist with acclimating Virginia's foreign-born population by directing government agencies to help immigrants learn about available resources and the ways of the American systems.
5. The Commonwealth should help its non-citizen residents better understand and navigate the federal naturalization process, enabling more residents to become fully participating citizens of the United States and of the Commonwealth.

B. House Joint Resolution 71

During the 2004 session of the General Assembly, Delegate M. Kirkland Cox (R-Colonial Heights) introduced a resolution, HJ 71, which passed both chambers of the Assembly in March 2004. The resolution identified the problems facing LEP populations in the Commonwealth. The relevant provisions of the resolution's findings state:

WHEREAS, between 1990 and 2000 the proportion of non-English speakers residing in the Commonwealth increased by nearly half, from 7.3 percent to 10.8 percent; and

WHEREAS, Title VI of the Civil Rights Act of 1964 (Title VI) prohibits recipients of federal funds from discriminating against individuals on the basis of race, color, or national origin, which has been interpreted to require meaningful access to information and services for individuals with limited English proficiency; and

* * *

WHEREAS, even in jurisdictions in which English has been declared the official language – as in Virginia – federal fund recipients must still ensure compliance with Title VI; and

* * *

WHEREAS, in light of Title VI requirements, a review of government policies and strategies is needed to determine how to provide meaningful access to information and services for Virginia's residents with limited English proficiency in the most cost-effective manner possible[.]

HJ 71 also requires the Commonwealth government to act on some of the findings of the JLARC report. Because many of the services impacting LEP populations are administered by the Secretary of Health and Human Resources (HHR), the resolution requests that the Secretary:

[D]evelop a plan for increasing awareness of the requirements to provide meaningful access to information and services in the Health and Human Resources Secretariat for individuals with

limited English proficiency who are lawfully in the United States and to identify, prioritize and estimate the costs of translating significant information and documents used by agencies and service providers.

HJ 71 specifically tasks the Secretary of HHR to “determine federal resources that may be available to assist service providers in their efforts to serve individuals with limited English proficiency,” and to “identify options for obtaining translation services, giving consideration to the quality and technical accuracy of the translation and the nature and importance” of the service. The resolution requires that any findings and recommendations be submitted to the General Assembly by November 30, 2004.

Because newly arrive immigrants constitute a large percentage of the Asian American population in Virginia, VAAB finds that language access is a high priority for the Asian American communities. VAAB agrees with HJ 71 that many of the agencies with the most LEP concerns are among the 12 agencies overseen by the Secretary of HHR, such as Departments of the Aging, Health, Medical Assistance Services, and Social Services.

However, VAAB also believes that the goals of HJ 71 should not be limited solely to these agencies, and instead, should be expanded to any and all agencies that administer programs utilized by LEP Asian Americans. For example, LEP concerns are widespread and can be found in many facets of life that are overseen by state agencies dealing with education, criminal justice and the court system, public safety, housing, transportation (in particular, the Department of Motor Vehicles), business and tax issues, and public utilities services.

VAAB’s Civic and Cultural Committee has met with Nancy Roberts, Deputy Secretary of HHR, and offered VAAB’s assistance in the Secretary’s efforts to respond to HJ 71. Deputy Secretary Roberts welcomed the opportunity to work with VAAB in this effort, and agreed with VAAB that this experience could be used as a pilot program to be replicated throughout the Commonwealth government.

RECOMMENDATION: VAAB urges the Governor to make compliance with HJ 71 a high priority. VAAB also urges the Governor to require similar efforts by every executive branch agency that administers programs that are utilized by LEP Asian Americans.

C. Data Collection

The core assumption that appears to underlie both the JLARC report and the HJ 71 is that there is a need for the Commonwealth government to better understand and address the needs of foreign-born population whose limited English abilities can be a severe obstacle. One of the most important ingredients for the government’s success in this regard is to have adequate data and information on the constituents it wishes to serve.

While some basic statistics and information about Asian Americans in Virginia can be obtained from the U.S. Census Bureau, there are far more aspects that we do not know about the Commonwealth's Asian American populations.

For example, one of the witnesses at the May 15 public forum, Hung Nguyen, asked a series of important questions in his written testimony submitted for the record:

Aggregate data from 1997 indicates that 912,960 firms are owned by APAs with gross receipts of \$278,294,345,000 (\$278 billion). 97,764 are owned by Vietnamese Americans, 84,534 are owned by Filipinos, 135,571 are owned by Koreans. Does the Commonwealth know how many of these minority-owned businesses are located within its jurisdiction? There are 5.4 millions firms owned by women. How many of these are in Virginia? The median family income of a Vietnamese in 1999 is \$46,929. 10.2% were on public assistance in 1999. Are these valid baselines for a Vietnamese family in Virginia? . . . Without accurate data, Commonwealth services cannot be targeted to specific populations in most need of such services.

* * *

There are too few opportunities for collecting, assessing and reporting data on the Asian Pacific American communities. This is not about pointing fingers. It is about addressing a critical need in order to address larger social and economic problems. Armed with data and using targeted campaigns, services and agency resources can be more accessible to those in need of these services, whether they are newly arrived immigrants who have limited English proficiency and need public assistance because they lack health benefits or the minority business owner who are looking to expand his/her business by acquiring contracts with government agencies and other diversity-minded corporations.

VAAB agrees that there is an urgent need for the Commonwealth government to conduct a comprehensive system-wide effort to collect, collate, organize, aggregate, and analyze all available data and information on Asian Americans in Virginia from whatever source that may be storing such information and that are within the control of the government.

Only with ample access to and availability of such resources can VAAB, the Governor, and the General Assembly develop a more "three-dimensional" picture of the service needs of the Asian Americans and their utilization of the Commonwealth's services. Availability of such data could also result in more effective public policies being developed, better implementation of valuable programs for the Commonwealth government, and increased civic participation for Asian Americans.

RECOMMENDATION: VAAB urges the Governor to call for a comprehensive government-wide effort to collect and study data on Asian Americans in Virginia, and to require the strategic goals and performance measurements of all executive branch agencies address the needs in underserved areas.

D. Education and Learning

The Governor's efforts to achieve excellence in our public educational system are to be commended. The Governor's "Education for a Lifetime" initiative that was launched in the fall of 2003 is an important step in the right direction that will bring high quality educational opportunities for all Virginians.

The most often stated reason given by immigrants from Asia for moving to the United States is the better educational opportunities that our nation affords them. For most Asian American families who choose to settle in Virginia, the Commonwealth's strong public school system is one of the most attractive features. Thus, a strong ESL program in the schools is critical to ensure the future success of recent immigrant students.

The quality of K-12 public education system has seen continued improvement in recent years. The overall passing rates of recent Standard of Learning (SOL) tests for 2001 through 2003 on all subjects for all grades have increased. However, some new immigrant students including Asian Americans, many African American students, and students with learning disabilities are still being left behind in the Commonwealth's educational system.

One solution is to establish a statewide cost-effective remedial program for all needed academic subjects in the Virginia public schools. Remedial help is vital to students who are in danger of failing to graduate because of the SOL requirements. A successful remedial program could not only reduce the dropout rates, it could build a stronger future for productive adult members of our society.

Another solution is to develop better quality and more expanded programs for gifted students. Currently, such programs are limited. For example, while the Commonwealth has a total of 1,160,000 public school students, data from 2002 to 2003 indicate that the various Virginia Governor's School Programs designed to provide more challenging curricular offerings for high achieving students, can only serve 7,500 students annually. Thus, only 0.6 percent of students in public schools can ever benefit from the Commonwealth's gifted program.

RECOMMENDATION: VAAB urges the Governor to establish an effective remedial program including the use of language assistance services, and to expand the gifted program for the public school system.

Another important concern of Asian Americans in the educational field is the lack of Asian American administrators and others in senior positions. There are many Asian American faculty members present in the higher education system, especially in science, engineering, medical and other technical fields.

However, there appears to be disparity in the number of qualified Asian American faculty and those who are selected as principals of K-12 campuses or department heads, deans, and presidents in colleges and universities.

One of the witnesses at the May 15 public forum, Ting-Yi Oei, testified as follows:

I don't know and won't claim outright that I have faced negative discrimination in interviews for leadership positions. But I do know that in my career I have been passed over for department chair openings, assistant principal positions and principalships. Not on a single one of those selection panels or committees supposedly representing the school communities has there been an Asian American member. And my rough estimate would be that the total number of individuals that I have sat before totals at least 130. That has not been true of . . . African-American or Latino [American] representation on those committees.

When a highly qualified and experienced assistant principal – and one of only a handful of Asian Americans in such high position – is passed over for a promotion time and again, some in the Asian American communities cannot help but ask whether our educational system truly values diversity. To answer this question, however, accurate statistical data is necessary.

The Commonwealth does not currently collect data on faculty salary and administrative appointments based on the person's race. Such information can be helpful in determining or refuting whether a glass ceiling might exist within the higher educational system for Asian American faculty. Data would also help determine whether the Commonwealth should do more to actively recruit senior administrators with diversity goals firmly in place.

Such data is not available anywhere else. The U.S. Department of Education's staff survey does contain race and ethnicity information, but the federal data includes only a sample of the data from states such as Virginia.

RECOMMENDATION: VAAB urges the Governor to require the Commonwealth to begin collecting data within its schools, colleges and universities for faculty salary and administrative appointments, by rank, race and ethnicity, national origin, gender, and any other relevant factor.

Diversity is an important policy goal in the public educational system. The United States Supreme Court declared this in no uncertain terms a half-century ago in its landmark decision in Brown v. Board of Education. By integrating public schools to allow students of different racial, ethnic, and socio-economic backgrounds, the Supreme Court clearly understood the value of diversity on campus.

The Supreme Court again confirmed this goal just one year ago in the June 2003 case of Grutter v. Bollinger when it found the University of Michigan Law School's affirmative action policies constitutional as a means to promote a diverse campus.

America is a nation of immigrants and the diversity of its population is its strength. A school campus that includes students from different racial, ethnic, lingual, religious, cultural, and social backgrounds can help develop well-rounded and balanced students who will be better equipped to compete as a professional in the global marketplace. Understanding differences at an early age can also contribute to a reduction in hate crimes, acts of bigotry, and other conduct derived from people's ignorance and fears about other races and cultures.

The Commonwealth should welcome any academic program that teaches and promotes diversity, pluralism, and multiculturalism. In particular, VAAB offers its assistance in identifying or developing programs to raise the awareness of Asian and Asian American history and historical figures, comparative Asian religious studies, information about the Asian American communities generally, and courses in Asian languages. Such courses could be for both students and the teachers who may not be familiar with Asian cultures.

Similarly, diversity or cultural sensitivity training should not be something that corporations and government agencies engage in only when they are facing legal problems. Rather, such training ought to be part of lifelong learning for every Virginia resident. Again, VAAB offers its assistance in promoting such legitimate goals.

RECOMMENDATION: VAAB urges the Governor to encourage the development and adoption of diversity training curriculum that includes information about Asian languages, religions, cultures, history, and geography, in the Commonwealth's public schools and in executive branch agency training programs.

E. Small Business

Over the past ten years, minority-owned firms have grown at approximately double the rate of all firms in the U.S. economy, both in terms of new firms and total sales. The overall growth rate from 1987 to 1992 for all firms was 4.7 percent, and with sales growth of 10.75 percent. During the same time, Asian American-owned firms increased at a rate of 10 percent with sales growth of almost 24 percent per year.

According to a 1998 University of Georgia study, over 50 percent of all minority-owned businesses with sales over \$1 million were owned by Asian Americans. In hard numbers, Asian Americans own 12,505 businesses out of a total of 24,727 minority firms. Likewise, the U.S. Small Business Administration (SBA) found that, of the total minority-owned businesses in the nation, 51 percent of business receipts are derived from Asian American-owned businesses.

Additionally, according to a 1999 Milken Institute report, minority consumer trends indicate that the Asian American buying power increased from \$113 billion in 1990 to \$194 billion in 1997, which is an increase of 72 percent.

Notwithstanding these figures indicating tremendous growth potentials and capacity of Asian American businesses, the Commonwealth of Virginia currently does not have a set-aside program for minority- or women-owned businesses.

According to the SBA, small businesses (with fewer than 500 employees) provide 75 percent of the net new jobs added to the economy, representing 99.7 percent of employers. Small businesses employ 50.1 percent of the private workforce, account for 39.1 percent of jobs in the high technology sector, represent 97 percent of all U.S. exporters, and create 13 to 14 times the number of patents per employee compared to large businesses.

Most minority- or women-owned businesses are small businesses, and thus, play an important role in our nation's economy. For many minorities and women, their involvement with small businesses can provide more leadership, entrepreneurial, and management opportunities, which, in turn, helps increase their stakes in our Commonwealth.

Additionally, because of the unique bonds that many Asian American entrepreneurs have with Asian nations, the Commonwealth could increase its international opportunities by taking advantage of partnering opportunities with such small businesses.

A January 2004 study entitled, "A Procurement Disparity Study of the Commonwealth of Virginia," by MGT of America, found that only 1.7 percent of the Commonwealth's dollars went to minority- or women-owned businesses from July 1997 to June 2002.

By contrast, spending on minority- or women-owned businesses by other states is much greater. For example, one neighboring state, Maryland, spends about 17 percent of its state funds on such businesses, and another, North Carolina, spends about 7.4 percent.

These neighboring states have formal set-aside programs for small businesses, which might account for the higher percentage of state spending. Maryland has a goal of setting aside 25 percent of its procurement funds for small businesses, a 10 percent goal for women-owned businesses, and a 7 percent goal for African American-owned businesses. North Carolina's goal is to set aside 10 percent for what it calls Historically Underutilized Businesses, or "HUB," which are businesses that are at least 51 percent owned and operated by minority, woman, or disabled individual.

At the federal level, the SBA, in 2002, backed \$12.3 billion in loans and assisted in directing \$40 billion in federal contracts to small businesses. Additionally, in fiscal year 2002, approximately 2.9 percent of the federal contract dollars went to women-owned businesses.

RECOMMENDATION: VAAB urges the Governor to take all steps necessary to increase the extremely low current levels of procurement by the Commonwealth for minority- or women-owned businesses, and to establish appropriate procurement goals.

F. VAAB Budget

Currently, VAAB is a volunteer entity with all of its work being undertaken by the Board members themselves. While there is government staff assigned to assist the Board, they can devote very limited time to this Board due to their other responsibilities. Additionally, due to the budget constraints currently facing the Commonwealth, there is no budget apportioned for VAAB at this time.

During the past year, the Board has been able to function in a self-sufficient manner through the Board members' own contributions and with some generous support of outside organizations to host events and activities. However, because this was the Board's first year of existence, and VAAB was functional for only 6 months from December 2003 to June 2004, there were fewer expenses than would typically be expected from a fully functional advisory board.

In order for VAAB to carry out all of the goals and activities in an effective manner, it is critical that it be provided an adequate budget and staff support. While it is difficult for VAAB to estimate the precise amount that would be needed to carry out all activities for the upcoming 2004-2005 Board term, it is expected that VAAB will require sufficient funding to undertake the following activities in the coming year that will require expenditures from the Commonwealth:

- Conduct bi-monthly business meetings, including travel and meals, and lodging for those traveling more than 75 miles
- Public forums or field hearings involving travel, meals and lodging, rental of facilities and audio/visual equipment, and possibly a court reporter to transcribe the proceedings
- Research, preparation, and publication of the annual report
- Website maintenance and other publicity-related expenses
- Salary for fulltime staff, or two part time staff devoted to VAAB, to improve the public's ability to fully access VAAB.

While the Board is well aware of the Commonwealth's budget concerns, VAAB believes that the Commonwealth should invest in the long term, as VAAB is the only entity that is exclusively devoted to addressing the needs and concerns of a fast growing population segment in the Commonwealth.

Additionally, the Governor should consider how other states, including neighboring jurisdictions of Maryland and the District of Columbia, handle its Asian American outreach. Both of these jurisdictions already have a voluntary citizens' commission on Asian American affairs similar to VAAB. However, in addition to these advisory boards, both Maryland and the District have an office of Asian American affairs housed within the governor's or that mayor's executive offices that is fully staffed and funded.

It is the Board's hope that VAAB can one day operate on par with its sister entities in other states that also have significant Asian American populations.

RECOMMENDATION: VAAB urges the Governor to request adequate funding from the General Assembly for VAAB activities for 2004-2005.

V. CONCLUSION

From preliminary evaluation of Asian American demographic information and the JLARC study, it is clear that Asian Americans in the Commonwealth of Virginia are a significant presence that undoubtedly will continue to grow in size and influence. It is therefore critical that the government of the Commonwealth take all necessary steps now to develop a wide range of public goals that would address the needs of this fast-growing Asian American population. VAAB encourages all executive branch agencies to explore and develop community partnership in carrying out these goals.

VAAB is pleased that the Governor and the General Assembly have already taken significant steps to identify some of the concerns of Asian Americans in the Commonwealth. But there is much more to be done for the government to effectively meet the challenges faced by this population segment, especially the foreign-born among them. VAAB will continue to address these challenges, and will participate as necessary in the development of policies and implementation of service delivery.

Technological developments in communication have enabled Virginia to be competitive in the global markets. To be even more successful, locally owned businesses should be supported in their efforts to develop trade opportunities with Asian nations. VAAB can be an important resource to business development in Asian nations, and we urge interested parties in the Commonwealth to work with us.

Every member of VAAB stands ready to assist the Governor, the General Assembly, and the executive branch agencies with these challenges. We look forward to continuing this important work, and we thank the Governor for the opportunity to serve.

